

**Region 9 Enforcement Division**  
**75 Hawthorne Street**  
**San Francisco, CA 94105**  
**TSCA Lead-Based Paint Inspection Report**

<b>Inspection Date(s):</b>	04/24/18		<b>Inspection Announced:</b> Yes
<b>Time:</b>	<b>Entry:</b> 1:05 pm		<b>Exit:</b> 2:45 pm
<b>Media:</b>	TSCA		
<b>Regulatory Program(s)</b>	LBP Program		
<b>Facility Name(s):</b>	Manny's Handy Man, Inc. & Mendez-Ortiz Construction, Inc. (DBA MHM Construction, Inc.)		
<b>Facility/Site Location(s):</b>	3165 California Street & 3165 California Street		
<b>(city, state, zip code)</b>	San Francisco, CA 94115 San Francisco, CA 94115		
<b>Geographic Coordinates:</b>	37.787220 / -122.446221 [ <a href="http://itouchmap.com/latlong.html">http://itouchmap.com/latlong.html</a> ]		
<b>County:</b>	San Francisco County		
<b>Facility/Site Contact:</b>	Victor Mendez Foreman/Officer (Owner) <a href="mailto:vmendez3165@gmail.com">vmendez3165@gmail.com</a> & <a href="mailto:mendezortiz3165@gmail.com">mendezortiz3165@gmail.com</a> (415) 673-1152 and (415) 238-7392		
<b>Physical Site Address:</b>	Montecito Manor Apartments 171 Montecito Ave Oakland, CA 94610		
<b>Physical Site Contact:</b>	Samuel Laughlin Property Manager <a href="mailto:171montecito@gmail.com">171montecito@gmail.com</a> (760) 576-7082		
<b>NAICS:</b>	N/A		
<b>SIC:</b>	N/A		
<b>Facility/Site Participating in Inspection:</b>			
Victor Mendez	Manny's Handy Man, Inc. & Mendez-Ortiz Construction, Inc.	Foreman/Officer (Owner)	<a href="mailto:vmendez3165@gmail.com">vmendez3165@gmail.com</a> & <a href="mailto:mendezortiz3165@gmail.com">mendezortiz3165@gmail.com</a> (415) 673-1152 and (415) 238-7392
<b>Physical Site Contact Participating in Inspection:</b>			
Samuel Laughlin	Montecito Manor Apartments	Property Manager	<a href="mailto:171montecito@gmail.com">171montecito@gmail.com</a> & (760) 576-7082

<b>Inspector(s):</b>			
Christopher Rollins (Lead Inspector)	{Signature}	{Date} 6/8/18	
	US EPA, Region 9 Mail Code: ENF 2-2	Environmental Protection Specialist	<a href="mailto:rollins.christopher@epa.gov">rollins.christopher@epa.gov</a> (415) 947-4166
Olof Hansen	US EPA, Region 9 Mail Code: ENF 2-2	SEE Grantee	<a href="mailto:hansen.olof@epa.gov">hansen.olof@epa.gov</a> (415) 972-3783
<b>Peer Review:</b>			
Olof Hansen	{Signature}	{Date} 6-8-18	
	US EPA, Region 9 Mail Code: ENF 2-2	SEE Grantee	<a href="mailto:hansen.olof@epa.gov">hansen.olof@epa.gov</a> (415) 972-3783
<b>Supervisor Review:</b>			
Doug K. McDaniel	{Signature}	{Date} 6/8/18	
	US EPA, Region 9 Mail Code: ENF 2-2	Chief, Waste and Chemical Section	<a href="mailto:mcdaniel.doug@epa.gov">mcdaniel.doug@epa.gov</a> (415) 947-4106

**Purpose of Inspection:** The purpose of the work-site inspection was to determine if Manny's Handyman, Inc. (Manny's Handyman) and/or Mendez-Ortiz Construction, Inc. (Mendez-Ortiz Construction) were in compliance with the Renovation, Repair, and Painting Rule (RRP) under the Toxic Substances Control Act (TSCA). Specifically, EPA inspected the site to determine if the firms were currently adhering to the Work Practice Standards for conducting renovations in target housing under TSCA [40 C.F.R. § 745.85].

**Reason for Inspection:** Both Manny's Handyman and Mendez-Ortiz Construction appear to have performed RRP related work between 2015 and 2018. The firms are located in the City and County of San Francisco, and at the time of the inspection, both Manny's Handyman and Mendez-Ortiz Construction did not possess a RRP firm certification from EPA to perform RRP work. In addition, both firms stated that they had recently completed the initial training for Individual EPA Lead Renovators on April 19, 2018, and were actively performing renovations in the Bay Area. As such, EPA choose to perform a work-site inspection, later that day, at an active site in order to verify compliance with TSCA's RRP Rule.

**Notice:** The two firms were sent a certified letter providing a courtesy notice of inspection on April 4, 2018. The letters were also directly emailed to the two firms and received by Mr. Victor Mendez, the firm representative for both Manny's Handyman and Mendez-Ortiz Construction that same day.

Mr. Samuel Laughlin, the Property Manager for the Montecito Mano Apartments was only verbally notified of EPA's inspection a few hours prior to the inspection. No written notice was provided to the Property Manager or owner of the property prior to the inspection.

**Opening Conference:** At around 11 am on Tuesday, April 24, 2018, EPA contacted Mr. Laughlin by phone, to arrange a work-site inspection at 1 pm. Upon arrival, Mr. Victor Mendez was already present and accompanied the inspectors to the work-site. After notifying Mr. Laughlin of our arrival, the Lead Inspector (Mr. Christopher Rollins) presented his federal credentials to the Property Manager. Mr. Olof Hansen presented his business cards and explained his role as a SEE Grantee in training. Mr. Rollins then communicated the purpose of the inspection, what the inspection would involve and explained four TSCA inspection forms which are required to be signed by a representative of the property owner during the inspection.

The Notice of Inspection and TSCA Inspection Confidentiality Notice were presented to Mr. Laughlin who signed the two forms on behalf of the property owner and received copies. After gaining access, EPA inquired about the building and the work performed on-site.

During the inspection, Mr. Laughlin shared the following details about the property located at 171 Montecito Avenue in Oakland, CA (The Montecito Manor Apartments):

- The Montecito Manor Apartments was last purchased in August of 2017.
- There are a total of twenty-four units in the building.
- Twelve of the twenty-four units are currently occupied (Leased).
- Nine of the twelve vacant units are under construction.
- Three of the twelve remaining units were renovated and leased but not yet occupied.
- The work performed at all twelve units were performed by Manny's Handyman and/or Mendez-Ortiz Construction and started when the building was first purchased in August of 2017.
- Only internal renovations were being performed at this work-site location. No exterior work was being performed by the two firms.

EPA observed the following conditions at the work-site located at 171 Montecito Avenue in Oakland, CA (The Montecito Manor Apartments):

- EPA inspected a total of seven units on-site (Units 304, 305, 207, 204, 203, 202 and 108). All units were at various stages of the renovation process.
- At the time of the inspection, demolition work had already begun on Units 305, 207 and 204 (See Photographs 1 – 10).

- EPA did not observe signage posted outside of Units 305, 207 or 204 regarding the work being performed (See Photographs 1, 3, 9 and 15). Signage was also not posted on the exterior front or back doors of the building (See Photographs 1, 3, 9 and 15).
- Plastic sheeting was observed on the exterior doors of every unit where demolition had either already begun or was in progress (Units 305, 207 and 204).
- EPA did not observe any plastic sheeting on the floors of any unit undergoing demolition (Units 305, 207 or 204) to contain dust and debris (See Photographs 2, 5 - 7 and 10).
- Some paint dust was observed being tracked in the hall way of the second floor (See Photograph 4).
- During the inspection, the firms didn't remove all existing drywall from every unit. In Unit 207, EPA was informed that new drywall had simply been placed over existing drywall in certain areas of the bathroom (See Photograph 7).
- EPA inspectors documented exterior paint chips, outside on the ground, directly below units that were being renovated on-site as well as in the neighboring parking lot adjacent to the property (See Photographs 11 – 14).

**Post-Inspection Interview:** The lead inspector informed both Messrs. Laughlin and Mendez that posted signs clearly defining the work order and warning occupants and other persons not involved in renovation activities to remain outside the work area should have been posted and that the lead paint chips should be cleaned up and properly disposed.

Mr. Rollins offered Mr. Laughlin the option of claiming any documents collected and offered for signature (The Declaration of Confidential Business Information and Receipt for Sample and Documents forms) as Confidential Business Information (CBI). Mr. Laughlin signed both the Declaration of Confidential Business Information and Receipt for Samples and Documents forms, but did not declare any of the information as CBI. The lead inspector presented copies of those forms to the Property Manager and closed out the inspection at 2:45 pm.